

another letter on November 9, 2012, asserting that it was unable to offer him a HAFA Deed in Lieu of Foreclosure. *See* Pl.'s Ex. 13. On November 9, 2012, SLS sent Mr. Peckey a "Welcome" letter stating that it had taken over loan servicing for the Property's mortgage. *See* Pl.'s Ex. 14. The instant action was initially filed on February 12, 2014. The case was Amended to add Nationstar as a Defendant on September 10, 2015. On October 25, 2016, Bank of America, N.A. Nationstar Mortgage, LLC and U.S. Bank, N.A., as Trustee for GSAA Home Equity Trust 2006-12 ("U.S. Bank") (collectively "Defendants") filed a Notice to advise the Court that the Deed in Lieu of Foreclosure Documents had been recorded among the Land Records of Baltimore County. ECF. Doc. 105.

ARGUMENT

The purpose of a Motion in Limine is for "the trial court to rule in advance of trial on the admissibility and relevance of certain forecasted evidence." *Luce v. United States*, 469 U.S. 38, 40 n.2, 105 S. Ct. 460, 83 L. Ed. 2d 443 (1984). In this case, the Plaintiff has identified one general category of testimony, evidence, or argument that should be precluded at trial.

Plaintiff requests this Court preclude evidence and testimony on the issue of whether he qualified for the HAFA Deed in Lieu of Foreclosure ("DIL") as the Defendants rendered that issue moot by recording the DIL documents with Maryland land records on or about October 21, 2016. ECF Doc. 105-1. In other words, by filing the DIL documents once discovery closed, the controversy as to whether Plaintiff had a valid DIL has been resolved in his favor.

CONCLUSION

For the reasons stated above, Plaintiff requests the Court grant his Motion in Limine and preclude the Defendants from raising the issue of whether or not he qualified for a HAFA Deed in Lieu of Foreclosure as moot.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of December 2016, I electronically filed the foregoing Memorandum of Law with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to the following:

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